REMARKS

This amendment is responsive to the Final Office Action mailed November 28, 2008. Applicant has amended claims 1, 15, and 28, and has added new claims 41–46. Claims 1–46 are pending upon entry of this amendment.

Claim Rejection Under 35 U.S.C. § 103

In the Advisory Action, the Examiner maintained his rejection, in the Final Office Action,[1] of claims 1–10, 15–23, and 27–37 under 35 U.S.C. 103(a) as being unpatentable over Viswanath (US 2004/0019670 A1) in view of Kanada et al (US 2002/0194317 A1). Applicant respectfully traverses the rejection and requests reconsideration. The applied references fail to disclose or suggest the inventions defined by Applicant's claims, and provide no teaching that would have suggested a rational reason to lead a person of ordinary skill in the art to arrive at the claimed invention.

Claims 1, 15, and 28

In the Advisory Action, the Examiner construed claim 1 as reading on syntactic and semantic validation of configuration information.[2] Specifically, the Examiner indicated that the "implementation-specific configuration policy" of claim 1 could be interpreted broadly so as to encompass a set of syntactical and semantic rules as disclosed in Viswanath.[3] Applicant disputes this characterization.

First, the Examiner already acceded, in response to Applicant's arguments filed August 15, 2008, that Viswanath does not teach or suggest the element of "applying an implementation-specific policy, wherein the implementation-specific policy comprises a set of rules representing the specific operational requirements of the particular networks within which the network device operates."[4] Instead, the Examiner relied on a new reference, Kanada, in rejecting this aspect of claim 1 in the Final Office Action.[5]

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[1] Final Office Action dated November 28, 2008.
[2] Advisory Action at 3.
[3] Id.
[4] Final Office Action at 3.
[5] Id.

Second, the claim term "implementation-specific" is defined in the specification as a variation in configuration options that is dependent "on the specific needs of the networks within which the devices operate."[6] The inclusion of this term thus excludes any generic, defined standard involving syntactical and semantic rules that apply to the network device regardless of the network environment within which it operates. Finally, claim 1 specifies that the implementation-specific configuration policy comprises a set of rules representing specific *operational* requirements of the *particular networks* within which the network device operates. This requirement is further evidence of the differentiation, in claim 1, of an implementation-specific configuration policy and a generic configuration policy involving syntactical validation and semantic verification which could not possibly represent specific operational requirements of a particular network.[7]

Nevertheless, to further clarify these differences, Applicant has amended claim 1 to specify applying an implementation-specific configuration policy to validate the changed candidate configuration data for compliance with specific operational requirements of the particular networks within which the network device operates, wherein the implementation-specific configuration policy comprises a set of rules representing the specific operational requirements.

As amended, claim 1 requires a particular type of validation—that of ensuring compliance with specific operational requirements of the particular network in which the device is deployed. Viswanath does not teach or suggest this requirement, as it is directed to syntactical validation and semantic verification.[8]

The Examiner further argues that Kanada "at the very least discloses an 'implementation-specific configuration policy comprising a set of rules representing the specific operational requirements."[9] In Applicant's response[10] to the Final Office Action, Applicant explained the differences between the policy rules taught by Kanada and the implementation-specific configuration policy of claim 1. Namely, that Kanada policy rules specify what the router *does*

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[6] Application at [0008].
[7] Application at [0006].
[8] Viswanath at *Abstract.*
[9] Advisory Action at 3.
[10] Response filed January 27, 2009.

with network traffic and are applied by the router to network traffic when the traffic is received. The implementation-specific configuration policy, by contrast, are applied <u>to configuration data</u> (not network traffic as in Kanada) to <u>validate the changed configuration data</u> in view of the operational requirements (not to forward traffic as in Kanada).

In response to this explanation, the Examiner asserted that (1) Kanada discloses a method and system for controlling a policy-based network; (2) a policy, per Kanada, comprises a set of rules and is "thus 'implemented' by the router depending on its operational function or role;" and (3) Kanada therefore disclose the implementation-specific configuration policy of claim 1.[11]

A Kanada policy is a collection of rules called policy rules that describe an action to perform when a given condition holds.[12] A network device performs these actions on packet flows.[13] As already noted, Applicant has amended claim 1. For the following reasons, this amendment further clarifies the differences between the policy rules of Kanada and the implementation-specific configuration policy of amended claim 1.

First, unlike the Kanada policy rules that specify <u>actions</u> to perform on a network flow given a condition, claim 1 specifies an implementation-specific <u>configuration</u> policy that comprises a set of rules representing <u>specific operational requirements</u>. That is, the Kanada policy represents configuration data of the device in that it defines actions to be performed by the network device. In contrast, claim 1 makes clear that the implementation-specific configuration policy defines boundaries by which configuration data can be considered valid with respect to the operation of the network device within specific operational requirements of a network. That is, the implementation-specific configuration policy does not independently establish the configuration of the network device, but instead defines boundaries with which the actual configuration must comply. Thus, a Kanada policy rule operates as configuration data so as to specify what a network device <u>does</u>, while the implementation-specific configuration policy of amended claim 1 specifies what a network device <u>must do in order for changed candidate configuration data to be considered valid configuration data</u>.

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[11] Advisory Action at 3.
[12] Kanada at [0041].
[13] *See, e.g.*, Kanada at [0048].

Second, amended claim 1 requires applying an implementation-specific configuration policy to validate the changed candidate configuration data <u>for compliance with specific operational requirements of the particular networks within which the network device operates</u>. Like Viswanath, Kanada fails to disclose or suggest these elements. In fact, Kanada does not even disclose specific operational requirements, let alone applying an implementation-specific configuration policy to validate the changed candidate configuration data for compliance with specific operational requirements. Even in combination, Viswanath in view of Kanada teaches, at most, a method of syntactic verification and syntax validation of a collection of policy rules that describe actions for a network device to perform when a given condition holds. This combination fails to disclose amended claim 1, and the Examiner has not identified a rational reason to lead a person of ordinary skill in the art, in view of the applied reference, to arrive at claim 1.

The arguments set forth above in favor of the patentability of claim 1 apply in like respect to claims 15 and 28. Applicant requests withdrawal of this rejection.

Claims 2–3, 16–17, and 29–30.

Applicant again submits that Viswanath does not teach or suggest the requirement of claim 2 wherein applying an implementation-specific configuration policy comprises identifying an error within the changed candidate configuration data based on the implementation-specific configuration policy; and correcting the error by automatically altering the changed candidate configuration data in response to the identified error. Similarly, Viswanath does not teach or suggest the requirement of claim 3 wherein applying an implementation-specific configuration policy comprises identifying a warning condition within the changed candidate configuration data based on the implementation-specific configuration policy; and correcting the warning condition by automatically altering the changed candidate configuration data.

The Examiner rightly stated in the Advisory Action that claims 2–3 incorporate the recited features of claim 1. The Examiner then rejected these claims, suggesting that they inherited the lack of patentability of claim 1. Applicant reminds the Examiner of his duty to

consider all words in a claim when judging the patentability of that claim against the prior art.[14] Dependent claims do not inherit the non-patentability of their base claims, and the Examiner must substantiate the existence of the elements of claims 2–3 in the prior art in order to maintain a rejection.

Furthermore, as already explained in regard to claim 1, neither Viswanath nor Kanada teaches an implementation-specific configuration policy, let alone identifying an error or warning within the changed candidate configuration data based on such a policy. Moreover, neither Viswanath nor Kanada disclose correcting an error or warning by automatically altering the changed candidate configuration data in response to the identified error, as required by the claims.

The arguments set forth above in favor of the patentability of claims 2–3 apply in like respect to claims 16–17, and 29–30. Applicant requests withdrawal of this rejection.

New Claims

Applicant has added new claims 41–46 to illustrate exemplary operational requirements of a network. Neither Viswanath nor Kanada teach or suggest applying an implementation-specific configuration policy to validate changed candidate configuration data for compliance with the specific operational requirements described in these claims.

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[14] *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). MPEP § 2143.03.

CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

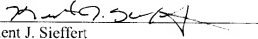Date: By:

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